IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 14716 Of 2007

DATED: 12.7.2007

Between:

Gangavamsam Jagan Mohana Rao
petitioner

And

A.P.S.R.T.C.
Rep by its Managing Director,
Bus Bhavan, Musheerabad, Hyderabad & 2 ors Respondents

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ORAL ORDER:

This writ petition is filed questioning the action of the respondents in not allowing the petitioner to retire on medical grounds in terms of circular No.PD-40/2005 dated 26.8.2005 as illegal and arbitrary.

The petitioner is employed in the respondent corporation as Driver. He was issued with charge sheet dated 11.3.2003 alleging unauthorized absence and having not satisfied with the explanation offered by him an enquiry was ordered. The disciplinary proceedings ended in removal of the petitioner by order dated 10.5.2005. The appeal filed by the petitioner was rejected by order dated 5.11.2005 against which the petitioner filed a review. The Reviewing Authority by orders dated 19.5.2006 modified the punishment and directed to reinstate the petitioner by reverting him to the former post of Driver Grade II for a period of two years and treating the period from date of removal to date of reinstatement as “not on duty”. On reinstatement the petitioner was posted to Tuni depot and on reporting to duty, he was subjected to medical examination, wherein he was declared unfit to perform the duties of Driver Grade I by order dated 30.6.2006. Since no further action was taken in the matter, petitioner submitted a representation dated 7.2.2007 to the second respondent to declare him

as medically unfit and to arrange to pay the additional monetary benefits in terms of Circular

No.PD-40/2005 dated 26.8.2005. The said representation is still pending. Hence, the present writ petition.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent corporation. Both counsel agreed for disposal of the writ petition at the admissions stage.

Since the representation of the petitioner dated 7.2.2007 is pending with the second respondent, I deem it appropriate to dispose of the writ petition directing the second respondent to dispose of the said representation in accordance with law, expeditiously.

Accordingly the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE: 12.7.2007
TVK

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